

reasonably convey to one skilled in the relevant art that the inventor(s), at the time the applicant was filed, had possession of the claimed invention.

The Examiner claims that the specification fails to provide support for *“conducting commerce...through an on-line system, at least one buyer accessing the system via an on-line computer service”* as recited in claims 17 and 35. According to the Webopedia, an online encyclopedia of computer technology, an online service is a *“business that provides its subscribers with a wide variety of data transmitted over telecommunications lines...In addition, the service can connect users with an almost unlimited number of third-party information providers. Subscribers can get up-to-date stock quotes, news stories hot off the wires, articles from many magazines and journals, in fact, almost any information that has been put in electronic form....”*

The Examiner indicates that Applicant's system, as described in the specification, is directed to a system which schedules and facilitates videoconferences between vendors and buyers over telephone lines. Moreover, the Examiner observes that nowhere does the Applicant describe conducting commerce through an on-line system via an on-line computer service or access to an unlimited number of third party information providers. Furthermore, the Examiner fails to find support in Applicant's specification for the recitation (claim 17) *“the buyer registering with the system on-line...”*

Applicant respectfully submits that the Examiner recognizes merely one aspect of Applicant's system, that is, the aspect by which videoconferences are facilitated between vendors and buyers. Applicant's system has a myriad of different aspects and variations that are fully disclosed in Applicant's specification. For example, the Examiner questions the support for *“conducting commerce...through an on-line system, at least one buyer accessing the system via an on-line computer service.”* By way of example, Applicant points the Examiner's attention to the following locations in his specification that support *“conducting commerce:”*

“...directing and exchanging offers and responses at the wholesale level..”

(page 1, lns. 24-25)

“....consummating sales and the like.”

(page 1, ln. 27)

"... in merchandising applications, including purchasing, selling, marketing or the like..."

(page 1, lns. 29-30)

"...an example of cumbersome communication in the merchandising industry, wholesale vendors or sellers of goods typically spend many hours..."

(page 4, lns. 20-22)

"...specific vendor sales people..."

(page 4, ln. 28)

"...a specific seller wishes to broadcast a special offering of a particular item to plural buyers, for example, to dispose of an inventory of distressed items.....initiating individual contact with a series of buyers, until eventually securing a final sale... Similarly, in situations where a buyer wishes to solicit proposals from vendors for a particular item, the same practice prevails"

(page 4, ln. 32 - page 5, ln. 9)

"consummating transactions and billing relating to transactions..."

(page 5, ln. 20-21)

"Specifically, for example, the dynamic graphics of telephonic video (on standard analog lines and digital lines over Integrated Services Digital Network (ISDN)) facilitate videophone, while video still displays and digital lines facilitate high fidelity (hi-fi) video displays along with audio capabilities, all combined with the interactive capability of computers to attain an effective commercial product routing system with video vending capability."

(page 5, ln. 28 - page 6, ln. 2)

"The system of the present invention contemplates applications ranging from merchandising (including purchasing, selling, marketing or the like)..."

(page 6, lns. 3-5)

"...consummating transactions..."

(page 6, ln. 12)

"...wholesale merchandising..."

(page 6, ln. 32)

“central traffic control system schedules appointments and routes offers and responses to and from select members of plural groups, such as buyers and vendors, to expedite traditionally complex purchasing operations...”

(page 7, lns. 1-4)

“The routing system analyzes buyer data, typically acquired during registration, and compiles a list of buyers to whom the broadcast is transmitted. Special buyers may be specified by the vendors making the special offering....”

(page 7, lns.17-19)

“Special buyers may be specified by the vendors making the special offering.”

(page 7, lns. 17-19)

“A video recording of the offered item may be stored in a video file server at the central location, thus, allowing interested buyers to view the item prior to making a purchase.”

(page 8, lns. 7-9)

“Also, a record to the charges incurred for each caller (buyer or vendor), depending upon the transaction initiated, may be maintained and billed to each caller.”

(page 10, lns. 12-14). Also, see pages 12 and other locations of the remaining specification that discusses conducting commerce related communications between buyers and sellers.

For support of “...through an on-line system, at least one buyer accessing the system via an on-line computer service,” Applicant calls the Examiner’s attention to Figure 2 that shows various PCs for use by parties such as buyers and the following exemplary locations in his specification:

“Communication between the routing system and the different buyers and vendors may be accomplished in a variety of ways, as for example, by electronic-mail (transmission of messages across a network between two desktop PCs), electronic bulletin boards, on-line computer services (such as Prodigy or Compuserve),...”

(page 8, lns. 12-17)

“In the illustrated embodiment, the central traffic control system TIS directs and exchanges on-line and off-line traffic between the vendor and the buyer sites, in the form

of special offerings, proposals etc., as well as accepting appointment requests from either the vendor or the buyer sites.” (emphasis by underlining added).

(page 19, ln. 32 - page 20, ln.1)

“The storage units T24 and T26 are addressed by the control computer T16 to provide data that is processed along with other data to control and facilitate on-line and off-line communications between buyer and vendor..” (emphasis by underlining added).

(page 36, ln. 6)

“Summarizing the extensive treatment above, the present system variously implements both online and offline communication as between vendors and buyers.” (emphasis by underlining added)

(page 36, lns. 19-20).

Applicant respectfully submits that his specification clearly discloses “on-line computer services” as means by which a buyer can communicate with various vendor sites. Moreover, the definition relied upon by the Examiner (and previously submitted by Applicant) clearly encompasses Applicant’s system. As indicated by the Examiner, according to the Webopedia, an online encyclopedia of computer technology, an online service is a “*business that provides its subscribers with a wide variety of data transmitted over telecommunications lines...*” Certainly, Applicant’s system performs those stated functions.

Also, the Examiner quotes the part of the Webopedia definition that indicates the following:

“In addition, the service can connect users with an almost unlimited number of third-party information providers.”

Clearly, Applicant’s system can connect buyers with any number of different vendor sites for information or consummating transactions.

The definition proceeds with providing various examples of the types of information a subscriber may obtain.

Subscribers can get up-to-date stock quotes, news stories hot off the wires, articles from many magazines and journals, in fact, almost any information that has been put in electronic form...One online service that defies classification is the Internet.”

Again, a provider of information or services is a vendor or supplier of information or services. Alternatively, vendors or suppliers may also supply products.

The Examiner further observes that Applicant's specification fails to provide support for "the buyer registering with the system on-line.." By way of example, Applicant points the Examiner's attention to the following locations in the specification:

"For example, access to the system may be limited to qualified or registered entities."
(page 7, lns. 11-12).

"The routing system analyzes buyer data, typically acquired during registration, and ..."
(emphasis by underlining added)
(page 7, lns. 17-18)

"The traffic control system TISEDI software (Electronic Data Interchange facilitating direct computer-to-computer exchange of forms) or the like. It should be recognized that the buyer terminals V1-Vn may also have EDI software or the like stored in memory, by virtue of which , easy access to and exchange of forms is facilitated."
(page 23, lns. 24-30)

"At registration, each vendor and buyer fills out a subscription form or otherwise provides the central traffic control system with specific information, such as the nature of the merchandise they are designated to sell or buy. This information may be provided with reference to an established list of merchandise codes. The designated merchandise codes assist the selectivity logic 47 in making routing determinations to avoid information overload."
(page 32, lns.24-31)

"For example, access to the system typically will be limited to qualified or registered entities."
(page 38, lns. 22-23)

Applicant respectfully requests the Examiner to withdraw her rejection under 35 U.S.C. Section 112 in view of the support detailed above.

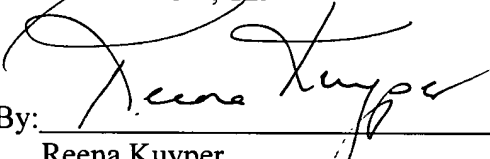
Discussion of the Rejection of the Claims Under 35 U.S.C. Section 102(b)

The Examiner rejected the claims under 35 U.S.C. Section 102(b) as anticipated by Shavit et al. Applicant respectfully submits that Shavit et al., do not disclose accommodating access to their system by an on-line service. Nor do they disclose on-line registration nor use of forms during registration. The Examiner failed to find support in Applicant's specification for these features, however, Applicant has indicated support for these features above. In addition, Applicant respectfully submits that in Shavit et al., price recalculations by the system (col. 13, ln. 16) does not satisfy the claim recitation that requires the buyer to set a monetary price for a good or service. Applicant respectfully submits that the claims are distinct from Shavit et al. at least for the reasons urged above.

Reconsideration of the claims in view of the support for the claims indicated here and the arguments urged is respectfully requested.

Respectfully submitted,

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Dated: September 11, 2000

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